12) (ORIGINAL) The composition according to claim 9 wherein said alkyl phenol includes at least one alkyl group having between 2 and 20 carbon atoms bonded to the benzene ring.

13) (ORIGINAL) The composition according to claim 9 wherein the alkyl phenol is a mono-alkylated or di-alkylated phenol which contains at least one alkyl group selected from the group consisting of: methyl, ethyl, propyl, butyl, pentyl, hexyl, heptyl, octyl, nonyl, decyl, and any structural isomers of the foregoing bonded to the benzene ring of said phenol.

14) – 20) (CANCELLED)

Applicants' Remarks

Claims 15-20 have been cancelled herein pursuant to the final restriction requirement in the Office Action dated 11/4/04. Claim 14 has been cancelled due to its redundancy.

Claim Rejections under 35 USC §112

The Office Action dated 11/4//04 indicates that claims 1-14 are rejected under 35 USC §112, first paragraph, as failing to comply with the written description requirement, alleging that:

> "the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention."

Unfortunately, the Office Action contains no specific reasons why this broad assertion is believed applicable. Applicants respectfully submit that all of the subject matter embraced by the claims

is in fact within the specification.

Applicants object to the Office Action as vague and not providing sufficient Notice as to the basis for rejection of the claimed subject matter. The Office Action fails to point out why the claims are allegedly deficient under 35 USC 112 first paragraph. Absent at least some specificity, it is not possible for Applicants to answer a broad assertion such as that in the Office Action. The specification contains full support for all features of all of the instant claims.

The Office ACtion erroneously states on page 3 of the 11/4/04 Office Action that:

> "Applicants have specified that component a) is a glycol. By definition, a glycol is dihydric; however, it is unclear from the specification if the recited formula of the glycol is required to have any hydroxyl groups."

This statement is untrue. Applicants have NOT stated that "component a) is a glycol" as alleged in the Office Action. It is apparent from reading claim 1 that component a) is recited as being: "a compound of the formula: ..... ". What follows next is a molecular structure. The word "glycol" is not even present in claim 1. Therefore, this rejection must be withdrawn.

In the last paragraph of the 35 USC § 112, first paragraph rejection on page 3 of the 11/04/04 Office Action, it is stated that:

> "Furthermore, the species ethylene glycol, propylene glycol, ethylene glycol monomethyl ether, and triethylene glycol do not satisfy the requirements of the instant glycol formula."

Again, the Office Action's statements are confusing and render Applicants unable to respond, because the only occurrence of the words: ethylene glycol, propylene glycol, ethylene glycol monomethyl ether, and triethylene glycol in any of the claims occur in claim 7; however, claim 7 contains no "glycol formula", as referred to by the Office Action. Claim 7 is independent.

Therefore, Applicants believe it is clear that the alleged rejections of the claims under 35 USC§ 112 first paragraph are meritless and must be withdrawn immediately.

The 11/4/04 Office Action also states:

> "Claims 1-14 are rejected under 35 USC § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
> First, it is unclear if the formula of component (a) is required to recite a true glycol."

Since the only pending claim which includes a formula as component (a) is claim 1, it must be the case that the Office Action's statement is made in reference to claim 1. But it is confusing to Applicants why it should be unclear whether component (a) of claim 1 recites a "true glycol". Since the word "glycol" does not occur in claim 1, this rejection is non-sensical. The claim rejection is meritless and must be withdrawn.

The Office Action continues:

> "Second, the Markush groups defining the R groups in component (a) of claim 1, the amino compound of claim 8, and the alkyl groups of claim 13 are improper because when materials recited in a claim are so related as to constitute a proper Markush group, they may be recited in the conventional manner (selected from the group "consisting of" A, B, and C) or alternatively (selected from A, B, or C). See MPEP 706.03(y).

Applicants respectfully submit that the language recited in instant claims 1, 8, and 13 is proper and consistent with current, and long-standing practice. This rejection should be withdrawn.

The Office Action continues:

> "Third, within claim 7, the species ethylene glycol, propylene glycol, ethylene glycol monomethyl ether, and triethylene glycol fail to satisfy the requirements for component (a). Therefore, these species fail to further limit the claim."

Applicants respectfully submit that claim 7 is an independent claim, and contains no recitation of

a molecular formula. There is no connection back to claim 1. Therefore, the grounds that the recited species fail to further limit the claim is without merit.

Applicants are grateful to the examiner for pointing out the deficiency of claim 14. This claim has been cancelled herein.

As regards claim 10, Applicants have amended the dependency of this claim to depend from claim 7 instead of claim 9 to remedy the indefiniteness alluded to by the examiner. No new matter is entered herein. The amendment to claim 10 finds support in the original specification at page 16, lines 10-20, and the first sentence of the Summary of the Invention.

Claim Rejections under 35 USC §102

The Office Action dated 11/04/04 indicates that claims 1-14 are rejected under 35 USC §102(b) as being anticipated by Skowronski et al. (5,563,180), stating that:

> "Skowronski et al. disclose catalyst compositions which comprise an alkali metal or alkaline earth metal carboxylate, such as formats, and an aminio compound, such as a tertiary amine, in a carrier, such as diethylene glycol (see the abstract and columns 3-5, as well as, the entire document). Furthermore, several of the patentees' tertiary amines correspond to the Mannich condensates of applicants' claims. Claims 10 and 11 are not further limiting the scope of the claims for art purposes."

Applicants understand that according to MPEP 8th ed. ; §706.02 pp 700-21, col. 1, under the heading: DISTINCTION BETWEEN 35 U.S.C 102 AND 103 , that for anticipation under 35 USC 102 to be proper, ***"the reference must teach every aspect of the claimed invention"***. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-14 under 35 USC §102(b) stated in the Office Action dated 11/04/04, because every feature of Applicant's invention is not taught in Skowronski et al. (5,563,180).

The invention disclosed in Skowronski et al is described generally at col. 3, lines 26-35 as being a catalyst system which is a combination of:

a) an organic metal salt;

b) a tertiary amine; and

c) a quaternary carboxylate salt,

subject to the proviso that there are more moles of the organic acid metal salt than of the tertiary amine. Applicants' present invention is a catalyst composition which comprises:

a) a polyoxyalkylene component ("component :a)" of claim 1)

b) an amine

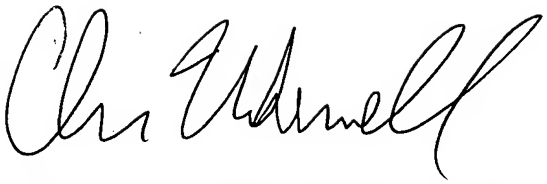
c) a formate salt.

Therefore, the Skowronski et al reference does not teach a catalyst composition according to the present invention. While it may be true that certain polyoxyalkylene components are listed in the Skowronski et al reference (col. 9, line 50 et seq.), these materials are set forth therein as being components of the polyol portion of the raw material reactant from which a polymeric material is made. Thus, the polyoxyalkylene materials in Skowronski et al. are not disclosed as being a part of the catalyst employed. Accordingly, the Skowronski et al reference does not teach a catalyst comprising such a component, and Applicants' invention is not anticipated by this piece of prior art. Since all limitations of Applicants claims are not taught in the reference relied upon for the rejection under 35 USC § 102, the rejection of claims 1-14 based on Skowronski et al. must be withdrawn.

For the foregiong reasons, Applicants respectfully submit that all of the pending claims in this application, as some have been amended herein, are now in condition for allowance.

Thank you for your considerations.

Respectfully submitted,



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